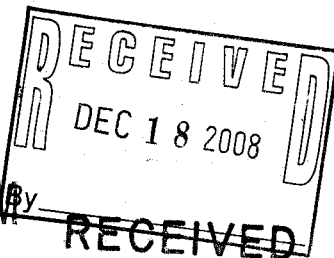




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7656 WEST ABRI
GOLDEN VALLEY,

OPEN MEETING AGENDA ITEM

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2008 DEC 18 P 1:40

W-20379A-05-0489

AZ CORP COMMISSION
DOCKET CONTROL

Fax Transmittal Form

To

Name: Lisa
Organization Name/Dept: Arizona Corporate
Commission
Phone number: 1-602-542-4143
Fax number: 1-602-542-3669

From

SUSAN A. BAYER

Phone: 1-928-565-9192
Fax: 1-928-565-4929
Email: RBBDCI@FRONTIERNET.NET

- ☒ Urgent
☒ For Review
☒ Please Comment
☒ Please Reply

Date sent: 12/18/2008
Time sent:
Number of pages including cover page: 9

Message:

Dear Lisa:

Please accept my apologies for sending this lengthy fax at this late hour. It is for Item # 23 Perkins Mountain Water Company. I have supplied everything I have that pertains to Mr. Rhodes and his hired lobbyist John Gall. If you would include this cover letter to the Commissioners, in regards to Mr. Gall and the Aztec Commercial Center it is really under the title as Westar Development, Mr. Gall stated at Monday's Mohave County Supervisors Meeting on December 15, 2008 that he is in the process of working with Utilities Inc / Perkins Mountain Water Company to supply water to this property, and has already been working with a hydrologist, and is submitting a request with ADWR & ADEQ. Except this property was approved to be included in the Valley Pioneer Water Company's C. C. & N. See Decision # 70621, under Docket # W-02033A-06-0262. It is Valley Pioneers responsibility to provide water, if unable then it is Valley Pioneer that must contract out, and obtain the information needed. I just wanted to let you know that again questionable practices are done. I thank you again for all your help, I hope you and your family have a wonderful Holiday Season

Sincerely;

Susan A. Bayer

Arizona Corporation Commission

DOCKETED

DEC 18 2008

DOCKETED BY



Item 23

susan bayer

From: "susan bayer" <rbbdci@frontiernet.net>
To: <mgleason@azcc.gov>; <wmundell@azcc.gov>; <jhatch@azcc.gov>; <kmayes@azcc.gov>; <gpierce@azcc.gov>
Cc: <denise.bensusan@frontiernet.net>; "Elno Roundy" <cleo@citlink.net>; <hualapaipanning@citlink.net>
Sent: Wednesday, December 17, 2008 9:26 PM
Attach: scan0002.tif; Picture 009.jpg; Picture 008.jpg; Picture 010.jpg; Picture 007.jpg
Subject: Perkins Mountain Water Company

To the Corporate Commission:

I have written this letter in protest of the Perkins Mountain Water Company, or is it Utilities Inc. (I am sorry I can not remember what name Mr. Rhodes is using). If you refer to scan #2 it show how our Rural / Agricultural Area has gone from just that to a "Self Contained" urban area in a short time. This was no short task but Mr. Rhodes and his hired lobbyist John Gall dangled a large carrot over the County - Money and Jobs. Mr. Rhodes hydrologist Greg Wallace stated "I stake my reputation that there is enough water". I obtained figures and submitted them at the Public Hearing in Mohave County (see picture 007). Mr. Gall the paid lobbyist just did not acknowledge them and again stated that there is enough water. But unfortunately for Mr. Rhodes, John Gall stated at the November 12, 2008 Planning and Zoning Commissioners meeting for another Las Vegas client (Aztec Commercial Center) when asked by then Commissioner Burgess "If we allow this project to go forth is there enough water"? Mr. Gall replied, "It is true that Pravada / Rhodes has the Lion's share of the water, the valley will run out, but if you allow this project to be approved, then you must have limited growth". This is recorded on tape / DVD of the meeting. But again for the Las Vegas Developers and their hired lobbyist John Gall he spins a web of deceit to the Mohave County citizens. The truth be told by his own admission it is true that there is not enough water. Now most recently the Mineral Park / Duval Mine has reduced the production of Copper (the price has plummeted) they have been approved a total of 16, 000 acre feet of water per year. Ironically the hired lobbyist John Gall actually made reference to this at the November 12, 2008 Planning and Zoning Commissioners meeting his quote "the Mine is using less water and therefore the draw down is not as dramatic". But the best comment given by the hired lobbyist John Gall at this same meeting when addressing the USGS study "We have satellite images that show the water in the Aquifer has increased". I personally contacted Mr. Elno Roundy "President" of the Northwest Watershed Committee and quoted Mr. Gall's comments about the Satellite, per Mr. Roundy "It must be able to see through rock". Sadly this is one of many questionable practices the hired lobbyist John Gall has used at County meetings for the benefit of Mr. Rhodes. The C.C. & N's sitting before you show that Perkins Mountain Water / Utilities Inc, are at least 6 mile north of Pravada it is sitting well in an area that per the Golden Valley Area Plan (scan 0002) shows is a Rural / Agriculture. His only working well so far is in this area and the water is piped south to Pravada, the other 2 either came up dry or went dry (per Valley Pioneer Water Company). This could be considered a warning of things to come. Only a few years ago, back in 2005, our own Supervisor of District 3 Buster Johnson was seen on ABC 15 and was quoted as saying then "It is not only if but when the water runs out, with this large Development it will be the largest ghost town in the state". Under Arizona Law only the first owner of a home in Pravada is to be informed "that there may be a water problem", if that owner chooses to sell they are not really required to inform the buyer, unless the buyer specifically asks.

It is apparent that this Commission does not trust Rhodes also, in this age of requesting transparency, perhaps Mr. Rhodes should give a complete list of every and any Corporation he owns and sits on, also instead of Pravada having upscale landscaping perhaps native desert plants, and as for the Golf Course keep it native and have the putting greens use recycled water right now (they can purchase this from Kingman). It is you this Commission that has been elected by the legal residents of Arizona. This is being rushed through the County and the State levels for several reasons, they are - The Final USGS comes out in 2010 (it will show that there is a shortage of water in the Aquifer's), the Private Prison expansion will be completed (and you will have 2000 inmates using 150 gallons of water per inmate per day - that is not under consideration now!), and lastly the Bypass of Hoover Dam will be completed. All of this will play heavily on an Aquifer that is already under serious stress. I just wanted to make all of these facts known to you. I hope that you will give all of this information under advisement. Lastly I have attached the Mohave County General Plan (pictures 9, 8, & 10) it is the section on Area Plans, this is designed for Growth Smart as you read the Golden Valley Area Plan does not exist anymore. We the citizens of Mohave County feel that it is this Commission that has the awful job of trying to protect the people from a man who has very deep pockets and a paid lobbyist who also has deep pockets and neither one really has a soul, after all they really only care about how much money they make and frankly to pardon the

12/17/2008

language "To hell with the little guy"

Thank you for reading this lengthy Email, I know your time is very busy. I hope you have a Happy Holiday Season.

Susan Bayer

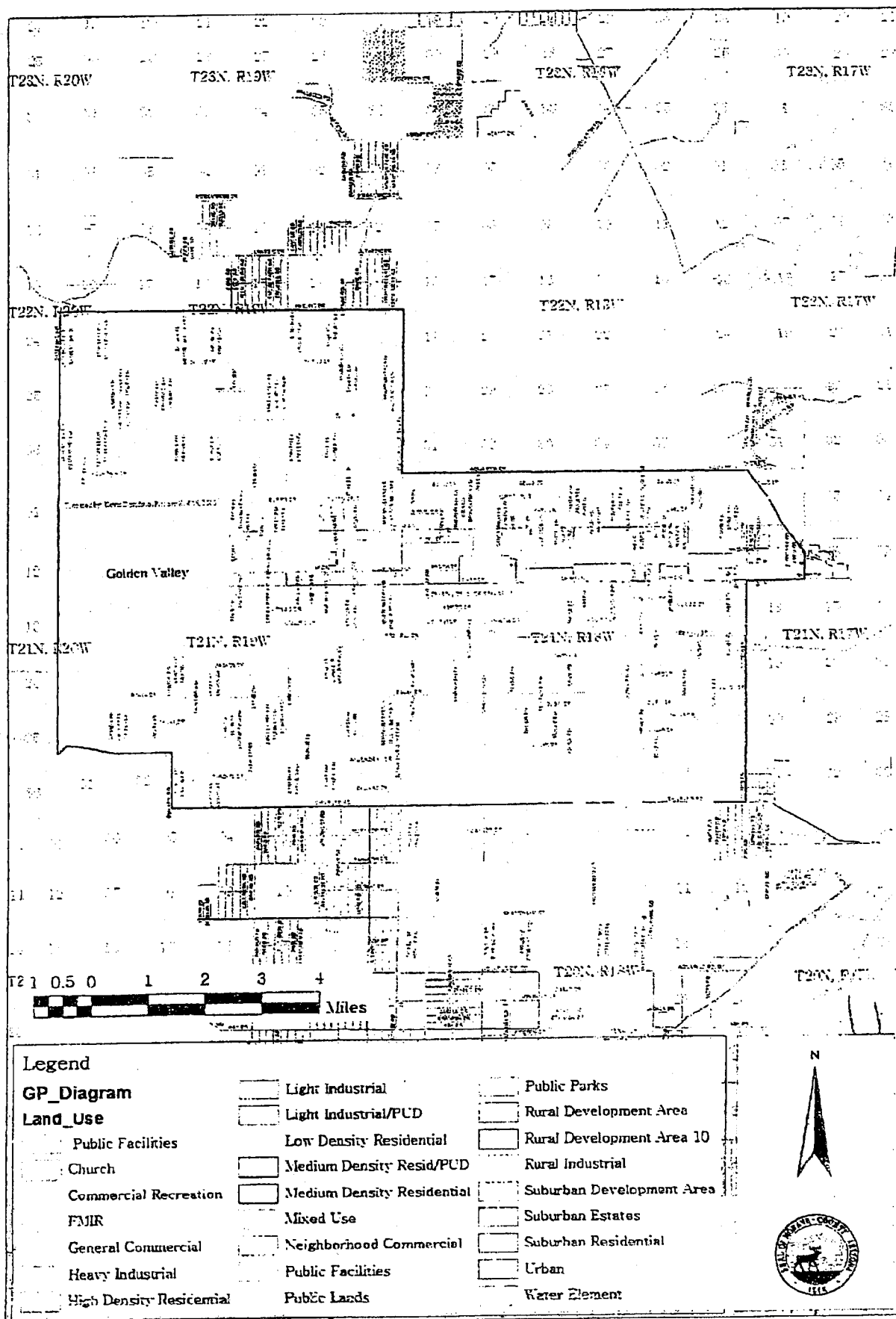
Golden Valley (it still is, unless Mr. Rhodes and his hired lobbyist John Gall have changed it with out letting the people know)

1-928-565-9192

12/17/2008

Exhibit VI.17

Golden Valley Detailed Land Use Diagram



Scan 002

**SACRAMENTO VALLEY AQUIFER
PER THE PAUL MANERA'A REPORT 11/13/2006**

ACRE FEET BREAKDOWN:

1400	Golden Valley Improvement District # 1
<u>+ 2810</u>	Valley Pioneer Water Company
4210	Sub-total
<u>+ 9000</u>	Rhodes Homes - Pravada
13,210	Sub - total
<u>+ 3000</u>	Old Duval Mine allocation
16,210	Sub - total
<u>+ 13,000</u>	Duval Mine expansion (increased to 16, 000 acre feet per year)
29,210	Sub - total
<u>+ 5000</u>	I 40 Corridor Acre Feet breakdown system (see attached)
34,210	Sub - total
<u>+ 260</u>	Unisource Pecker Plant
34,470	Sub - total
<u>+ 100</u>	Yucca Area
34,570	Sub - total
<u>+ 6000</u>	New Well site for Golden Valley Improvement District # 1
	(6 miles south of Griffith Energy)
* 40, 570	Sub - total

Per Mr. Wallace Rhodes Homes Hydrologist he stated his reputation on the aquifer could handle a draw down of 31,750 Acre Feet a year. As you can see the above figures are factual. All of the figures in the I 40 Corridor were figured out based on the math calculation per Mike Hendrix and gallons per minute from Ron Walker. Based on these figures there will be a shortage, or in laymen terms OOPS!

But the figure not in any equation is the conservative of at least 10,000 privately owned 1 Acre parcels (we know that that figure can be doubled or tripled) that could get building permits and build out and per ADWR each 1 Acre parcel zoned A / R1 gets 1/3 Acre Foot per year multiply that by the privately owned 1 Acre lots and you will have a shortage of water, and the Sacramento Valley Aquifer runs a large chance of running dry!

Picture 007

Mohave County General Plan

VIII. AREA PLANS**A. INTRODUCTION**

Mohave is a huge county, with 13,286 square miles. Approximately 2,485 square miles of the county are under private ownership. The county encompasses diverse communities and development intensities ranging from urban to rural. The character and needs of the rapidly-urbanizing South Mohave Valley and Golden Valley areas are distinct from the concerns of the more slowly developing Peach Springs community. The Area Plan process provides a mechanism for the County and local residents to plan for future growth and development of communities at a greater level of detail than can be accomplished at a Countywide level. The Area Plan process enables residents of sub-areas within the County to refine the policies and Land Use Diagram of the General Plan to tailor the plan to specific community needs.

The County may prepare Area Plans for any unincorporated area in the County. The process is similar to that used to develop the Countywide General Plan, but at a greater level of detail. The process begins with collection of information that is pertinent to the area, including environmental, demographic and land use characteristics and trends. This background data will provide a basis for the development of Area Plan alternatives. Once the specific alternative for growth and development is selected, a detailed land use diagram and area-specific goals, policies and implementation measures can be prepared. Throughout the planning process, public participation should be sought to ensure that the Area Plan effectively represents the concerns and objectives of local residents and property owners. Area Plan adoption is a minor amendment to the General Plan and should follow that process.

B. AREA PLAN GOALS AND POLICIES

Goal 62: To recognize the distinct character of individual areas and encourage land use patterns that are consistent with the goals of the General Plan and each area's own objectives.

Policy 62.1 Mohave County shall use Area Plans to establish special goals and policies necessary to reflect and enhance the character of outlying communities and other designated urban and suburban areas. These Area Plans shall be adopted as an amendment to the Mohave County General Plan.

Policy 62.2 For those areas of Mohave County with approved Area Plans, the policies of these plans shall apply. Modifications to existing area plans shall comply with the current general plan policies.

Policy 62.3 The Land Use Diagram contained in each Area Plan shall be interpreted according to the policies set forth in the Land Use Element of this General Plan.

Policy 62.4 Area Plans should be developed through a process including:

- a.) analysis of natural resources, existing land use, population and economic characteristics, community character and design, existing and planned public facilities and services, and development trends;
- b.) consideration of possible alternatives for area development and selection of a preferred alternative;

Mohave County General Plan

- c.) definition of goals, policies, maps and implementation measures appropriate for the area and consistent with the Countywide policies contained in the General Plan;
- d.) public involvement throughout the plan development process; and
- e.) public hearing and adoption of the Area Plan as a General Plan amendment.

Area Plans may provide more detailed goals and policies for issues addressed in this General Plan, including (but not limited to) natural resources, land use, community design, housing, economic development, parks and recreation, public services, water, wastewater and transportation.

Policy 62.5 Mohave County shall adopt or modify Area Plans with the participation of residents and property owners of the affected area and with the involvement of other community organizations or interest groups the County finds to be affected by the Area Plan.

C. AREA PLANS

Area Plans

The General Plan may include Area Plans. Area Plans focus on a given portion of the county, providing land-use details for specific parcels of property. An Area Plan will include policies toward the orderly growth and development of specifically bound areas, as well as goals and policies toward implementing the Plan, and achieving growth in an efficient and logical progression.

1. Area Plans contain detailed information about a particular boundary defined community area within the unincorporated portions of the county. These Plans are defined and developed by the property owners and residents themselves. Area Plans will conform to and include elements of the General Plan, and become a part of the General Plan by reference.
2. An Area Plan development may be requested by any identifiable community.
3. Area Plan development will be prioritized by the Board for development and update.
4. When Area Plans are required:
 - a.) An Area Plan shall be developed when the existing open space land use balance in any Development Area would be dramatically shifted by a single or combined proposed development of high density (urban) or high intensity residential, and/or commercial or industrial use(s), and the area is not within three miles of a city or an outlying community, or similar development as proposed.
 - b.) An Area Plan will be required when a development proposal or community intent is to create:
 - 1.) new urban or suburban density community rising in the undeveloped, open space county area in any land use category proposing a build-out population over 1,000 people;
 - 2.) Commercial/industrial and/or residential developments with build-out areas one square mile or larger;
 - 3.) Land exchanges one square mile or larger;
 - 4.) Projects with projected development completions of ten or more years for urban or suburban density residential or commercial developments with build-out populations over 1,000 people;

Mohave County General Plan

- 5.) Individual or grouped commercial/industrial and/or residential development projects with build-out areas one square mile or larger and/or build-out populations over 1,000 people located within one mile of a city or an outlying community.
- 6.) The Planning Director determines pertinent factors exist which warrants the creation of an Area Plan based on the application for development, or future potential uses and development that would occur or be created as a result of the proposed development.

D. Rural Planning Areas Goals and Policies.

Persons who own real property in designated Rural Development Areas of these Land Use Regulations may submit a petition to the Board to form a Rural Planning Area. The petitions must include the signatures of a majority of ownership of real property in the proposed planning area. Participation is voluntary and any property owner whose real property is contained within the Rural Planning Area may withdraw the property from the Planning Area. Property owners in these areas are encouraged to participate in Rural Planning Areas to provide non-regulatory incentives for compliance and accommodation of continuing traditional rural and agricultural enterprises.

Goal 63: To provide a method for real property owners in the unincorporated portions of the county to form a Rural Planning Area.

Policy 63.1 Rural Planning Areas may only be formed in Rural Development Areas as described in the land use elements of this General Plan.

Policy 63.2 Rural Planning Areas shall be one (1) square mile or larger in size.

Policy 63.3 Real property owners on their own initiative may petition the Board of Supervisors to form a Rural Planning Area with specific boundaries outside of any current approved Area Plan boundary. Petitions must be signed by owners of a majority of acres of real property in the proposed Rural Planning Area.

Policy 63.4 Rural Planning Areas shall be voluntary on the part of property owners and the Board shall encourage voluntary participation.

Policy 63.5 The Board shall aid the planning areas in providing a sound factual and policy basis for planning.

Policy 63.6 Rural Planning Area recommendations shall emphasize voluntary, non-regulatory incentives for compliance and accommodation of continuing traditional rural and agricultural enterprises.

Policy 63.7 Rural Planning Areas shall transmit their recommendations to the Commission and Board of Supervisors for approval.

Policy 63.8 Adoption of Rural Planning Areas shall be considered minor